

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

VERIZON NEW ENGLAND INC. )  
Plaintiff )  
 )  
v. ) CIVIL NO. 1:05-CV-53-B-C  
 )  
PUBLIC UTILITIES COMMISSION OF MAINE, et al. )  
Defendant )

**ORDER FOR SUPPLEMENTATION OF THE RECORD ON THE PLAINTIFF'S  
MOTION FOR PRELIMINARY INJUNCTION**

Following further study of the written submission of the parties and the record on Plaintiff's Motion for Preliminary Injunction (Docket Item No. 28), following oral argument thereon, the Court **CONCLUDES** that the existing record is not sufficient for the Court to resolve all of the issues potentially generated by the motion and a full factual record in respect thereto and that the parties should be required to supplement the existing record.

Accordingly, it is **ORDERED**:

- (1) That the Plaintiff file with the Court, on or before November 4, 2005 at 4:30 p.m., complete copies of the four (4) Orders of the FCC on which it relies in support of the motions
  - (a) The "Triennial Review Order" or "TRO" cited in Plaintiff's Memorandum of Law (Docket Item No. 28) at 5, n.3,
  - (b) The FCC Order on Remand ("TRRO") cited in Plaintiff's Memorandum of Law (Docket No. 28) at 14, n. 14,
  - (c) The FCC's Local Competition Order cited in Plaintiff's Memorandum of Law at 3, and

- (d) The FCC's UNE Remand Order, cited in Plaintiff's Reply Memorandum (Docket Item No. 48) at 1, n.2.
- (2) That the Defendant file with the Court on or before November 4, 2005 at 4:30 p.m. complete copies of the following documents:
  - (a) The Wholesale Tariff Plaintiff alleged filed with the PUC in response to the letter of March 1, 2002 of the PUC to Edward Dinan, Plaintiff's President and CEO,
  - (b) The Amended Tariff, referred to in oral argument, that the Plaintiff alleged filed thereafter, and
  - (c) Complete Copies of all Motions for Reconsideration or other action by the PUC at the request of Plaintiff in respect to any Proceeding or Order which the parties contend have any relevance to the validity of any Order of the PUC at issue on this pending Motion for Preliminary Injunction.

**SO ORDERED.**

/s/ Gene Carter,  
Gene Carter,  
Senior U.S. District Judge

Dated at Portland Maine, this 31<sup>st</sup> day of October, 2005.